

**REMARKS****REJECTION UNDER 35 U.S.C. §102 AND REJECTION UNDER 35 U.S.C. §103**

The Examiner rejected claims 1, 3, and 6-8 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,233,463 B1 issued to Weideman (hereafter "Weideman").

The Examiner rejected claims 18, 20-21, 24 and 26-27 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 6,681,111 issued to Ahn et al (hereafter "Ahn").

The Examiner rejected claims 4-5, 9-10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,233,463 B1 issued to Weideman in view of U.S. Patent No. 2002/0094811 A1 issued to Bright (hereafter "Bright").

The Examiner rejected claim 22 under 35 U.S.C. §103(a) as being unpatentable over Ahn in view of Weideman.

The rejections are respectfully traversed.

Wiedeman does not disclose a "mobile switching center" comprising "a first circuit communicating with the CDMA RAN, the first circuit communicating with the IS-41 core infrastructure using IS-41 protocol; and a second circuit communicating with the CDMA RAN, the second circuit communicating with the GSM core infrastructure using GSM protocol," as required by independent claim 1; therefore independent claim 1 is patentable.

In the office action dated January 7, 2005, page 2, the Examiner appears to indicate that gateway 10 is the mobile switching center of claim 1 since the Examiner states, "In the system disclosed by Wiedeman the gateway 10 ..." and cites figures 5-8, which show the gateway 10 in a prominent manner.

Although the gateway 10 interfaces to an IS-41 infrastructure 30, 34 and a GSM infrastructure 32, 50, the gateway 10 does not have a first circuit communicating with a CDMA RAN and IS-41 infrastructure, nor does the gateway 10 have a second circuit communicating with a CDMA RAN and GSM infrastructure. Rather, the gateway 10

communicates with a *satellite* while communicating with either an IS-41 or a GSM infrastructure. Abstract, first sentence, figures 1 and 5-8.

A CDMA RAN includes base stations and base station controllers. Par. 21. The Examiner cites base stations 5 and base stations controllers 54, and asserts that "the system can operate with protocols and air interface standards" such as CDMA. Office action dated January 7, 2005, page 2.

The Examiner shows that the Wiedeman system has base stations and base station controllers and that it can operate with a CDMA protocol and air interface standard. However, the issue with respect to independent claim 1 is not whether the system of Wiedeman can interface with CDMA base stations and base station controllers, but whether the gateway 10, which the Examiner indicates meets the "mobile switching center" language, comprises a first circuit communicating with a CDMA RAN and IS-41 infrastructure, and comprises a second circuit communicating with a CDMA RAN and GSM infrastructure.

The gateway 10 connects a satellite with an IS-41 infrastructure and the gateway couples a satellite with a GSM infrastructure. The gateway 10 does not connect a CDMA RAN with an IS-41 infrastructure, nor does the gateway 10 connect a CDMA RAN with a GSM infrastructure. Thus, independent claims 1 is patentable. Dependent claims 3-5 and 6-10 are patentable since they depend on patentable independent claim 1.

Cancel claims 18, 21-22, 24, and 26-27 without prejudice.

**REMARKS**

Claims 1 and 3-10 are pending in the present application, of which claims 1 and 6 are independent. Claims 18, 21-22, 24, and 26-27 have been cancelled without prejudice.

Applicants believe that the present application is in condition for allowance, which prompt and favorable action is respectfully requested.

**CONCLUSION**

In light of the amendments contained herein, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: July 7, 2005

By: 

Albert J. Harnois, Jr.  
Attorney for Applicants  
Registration No. 46,123

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121-1714  
Telephone: (858) 651-4368  
Facsimile: (858) 658-2502